

Further misbranding, Section 502 (f) (2), the labeling failed to warn against use of the article in case of bleeding which might be an indication of a serious condition; and it also failed to warn that the dosage should be decreased if blurring of the vision or dryness of the throat developed, and that if those conditions persisted after decreasing the dose, the use of the article should be discontinued.

**DISPOSITION:** September 8, 1945. No claimant having appeared, judgment was entered ordering that the product be destroyed.

**1761. Misbranding of Interferin. U. S. v. 19 Unlabeled Tubes of Interferin. Default decree of condemnation and destruction.** (F. D. C. No. 16284. Sample No. 17383-H.)

**LABEL FILED:** May 29, 1945, Eastern District of Wisconsin.

**ALLEGED SHIPMENT:** On or about April 12, 1945, from Chicago, Ill.

**PRODUCT:** 19 unlabeled tubes of *Interferin* at South Milwaukee, Wis. A partial analysis of a sample showed that the article contained soap.

**NATURE OF CHARGE:** Misbranding, Section 502 (b), the article failed to bear a label containing the name and place of business of the manufacturer, packer, or distributor, and it failed to bear an accurate statement of the quantity of the contents; Section 502 (e) (2), the label failed to bear the common or usual name of each active ingredient of the article; and, Section 502 (f) (1), the labeling failed to bear adequate directions for use.

**DISPOSITION:** July 25, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### DRUGS ACTIONABLE BECAUSE OF CONTAMINATION WITH FILTH

**1762. Adulteration of cough drops. U. S. v. Ernest E. Johnson (Ernest E. Johnson Co.) Plea of guilty. Fine, \$500.** (F. D. C. No. 14284. Sample Nos. 40524-F, 40525-F, 59369-F, 71036-F, 71248-F.)

**INFORMATION FILED:** September 10, 1945, District of Minnesota, against Ernest E. Johnson, trading as the Ernest E. Johnson Co., Minneapolis, Minn.

**ALLEGED SHIPMENT:** Between the approximate dates of February 16 and April 27, 1944, from the State of Minnesota into the States of Iowa, Wisconsin, and Oregon.

**LABEL, IN PART:** "Johnson's Extra Strong Horehound Drops," or "Brystsukker Cough Drops."

**NATURE OF CHARGE:** Adulteration, Section 501 (a) (1), the articles consisted in whole or in part of filthy substances by reason of the presence of rodent excreta, rodent hair, insect fragments, feather fragments, human hair, unidentified hair, and rodent and cat hair fragments.

**DISPOSITION:** October 9, 1945. The defendant having entered a plea of guilty to all counts, the court imposed a fine of \$125 on each count, a total fine of \$500.

**1763. Adulteration of stramonium leaves. U. S. v. 4 Bales of Stramonium Leaves. Default decree of condemnation and destruction.** (F. D. C. No. 16195. Sample No. 6906-H.)

**LABEL FILED:** May 22, 1945, Northern District of New York.

**ALLEGED SHIPMENT:** On or about October 10, 1944, by the St. Louis Commission Co., from St. Louis, Mo.

**PRODUCT:** 4 bales containing a total of 1,930 pounds of *stramonium leaves* at Norwich, N. Y. Examination showed that the product contained rodent hair fragments, insects, and insect fragments.

**NATURE OF CHARGE:** Adulteration, Section 501 (a) (1), the product consisted in whole or in part of a filthy substance.

**DISPOSITION:** August 22, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**DRUGS ACTIONABLE BECAUSE OF THE PRESENCE OF NONCERTIFIED COAL-TAR COLORS**

**1764. Action to enjoin and restrain the interstate shipment of adulterated and misbranded coal-tar colors. U. S. v. Interstate Color Co., Inc., and Samuel H. Ebert. Consent decree granting injunction. (Inj. No. 68.)**

**COMPLAINT FILED:** July 1, 1944, Southern District of New York, against the Interstate Color Co., Inc., New York, N. Y., and Samuel H. Ebert, president and treasurer of the corporation.

**NATURE OF CHARGE:** That since on or before May 11, 1943, the defendants had been introducing and delivering for introduction into interstate commerce quantities of *coal-tar colors* which were adulterated and misbranded in the following manner:

Adulteration, Section 501 (a) (4), the articles bore and contained, for purposes of coloring only, coal-tar colors from a batch other than one certified in accordance with the regulations.

Misbranding, Section 502 (a), the labels of the articles bore false and misleading statements.

It was also charged that the defendants had been introducing and delivering for introduction into interstate commerce quantities of coal-tar colors which were adulterated and misbranded under the provisions of the law applicable to cosmetics, as reported in notices of judgment on cosmetics.

**PRAYER OF COMPLAINT:** That the defendants be permanently enjoined and restrained from commission of the acts complained of.

**DISPOSITION:** January 4, 1945. The defendants having consented to the entry of a decree, the court issued an order enjoining them from introducing or delivering for introduction into interstate commerce any adulterated and misbranded drugs or cosmetics including colors consisting in whole or in part of Oil Yellow F. N., Colour Index No. 19, or Oil Yellow C., Colour Index No. 17, and all mixtures or combinations purporting to be certified mixtures which contain Croceine Orange, Colour Index No. 26. It was provided, however, that the order should not apply to the shipment of those colors for use other than as drugs or cosmetics.

**1765. Adulteration of color. U. S. v. 1 Can of Color. Default decree of condemnation and destruction. (F. D. C. No. 16319. Sample No. 106-H.)**

**LABEL FILED:** June 5, 1945, Southern District of Florida.

**ALLEGED SHIPMENT:** On or about November 14, 1941, from Charlotte, N. C., by the National Aniline Division, Allied Chemical and Dye Corporation.

**PRODUCT:** 1 can containing approximately 2½ pounds of *color* at Tampa, Fla.

Examination showed that the product contained D&C Green No. 6 and Butter Yellow, Colour Index No. 17, the latter being a dye which cannot be certified for use in foods, drugs, or cosmetics, and which possesses carcinogenic properties.

**LABEL, IN PART:** "Nat'l Oil Green M-255."

**NATURE OF CHARGE:** Adulteration, Section 501 (a) (4), the product bore and contained, for purposes of coloring only, a coal-tar color, Butter Yellow, Colour Index No. 17, which had not been listed for use in drugs in accordance with the regulations and was other than one from a batch that had been certified.

**DISPOSITION:** July 14, 1945. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**DRUGS AND DEVICES ACTIONABLE BECAUSE OF DEVIATION FROM OFFICIAL OR OWN STANDARDS\***

**1766. Adulteration and misbranding of Tossbeone. U. S. v. E. Tosse & Co., Inc. Plea of guilty. Fine, \$100. (F. D. C. No. 14302. Sample No. 35056-F.)**

**INFORMATION FILED:** June 11, 1945, Eastern District of New York, against E. Tosse & Co., Inc., Brooklyn, N. Y.

**ALLEGED SHIPMENT:** On or about March 28, 1944, from the State of New York into the State of Georgia.

**NATURE OF CHARGE:** Adulteration, Section 501 (c), the strength of the article differed from and its quality fell below that which it was represented to possess,

\*See also No. 1751.